



GOVERNMENT OF THE VIRGIN ISLANDS OF THE UNITED STATES

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DEPARTMENT OF PLANNING AND NATURAL RESOURCES

No. 45 Estate Mars Hill, Frederiksted
St. Croix, Virgin Islands 00840

Office of the Commissioner

Telephone: (340) 773-1082

FAX: (340) 773-1716

PUBLIC NOTICE

I. NOTICE OF THE DEPARTMENT OF PLANNING AND NATURAL RESOURCES
INTENT TO AMEND UNDERGROUND STORAGE TANK REGULATIONS FOR THE UNITED
STATES VIRGIN ISLANDS PURSUANT TO SECTION 654(1)(b) OF THE UNDERGROUND
STORAGE TANK ACT.

II. **DATE OF NOTICE:** TUESDAY, OCTOBER 20, 2020.

III. **DESCRIPTION OF NOTICE**

The Underground Storage Tank (UST) regulations for the U.S. Virgin Islands (USVI), found at 12 V.I.R.&R. Chapter 16, Subchapter 654, were enacted in 2014. The current USVI regulations are based upon the federal regulations found at 40 C.F.R. Part 280, which is significant as the federal government maintains its authority to regulate USTs throughout the United States and to enforce violations of its regulations. By maintaining territorial regulations which have the same requirements as the federal ones, owners and operators of USTs within the USVI are spared the necessity of abiding by two different sets of regulations. In October 2015, the federal government enacted a series of new UST regulations which took effect in October 2018. The regulations enacted by the USVI in 2014 are identical to the 2015 changes in the federal regulations with the exception of the two regulations which are now being proposed by this action. The proposed regulations contain the same language as the federal regulations found at 40 C.F.R. § 280.35 and 40 C.F.R. § 280.36. They concern periodic testing of UST sumps, piping and equipment and periodic walk through inspections by the owners and operators of UST facilities. Because the proposed regulations are already enforceable as federal law, making them part of the USVI regulatory structure does not add additional requirements to UST owners and operators. This will prevent owners and operators of USTs in the U.S. Virgin Islands from being required to abide by two different sets of regulations concerning USTs.

IV. **NOTICE OF PROPOSED PUBLIC HEARINGS**

Hearings concerning the adoption of the proposed regulations shall be held from 6 p.m. to 8 p.m. in both districts on **TUESDAY, NOVEMBER 17, 2020.**

To help to reduce the global spread of the coronavirus (COVID-19), this meeting will be held via the Microsoft Teams collaboration platform.

There is no Meeting ID or Password.

URL: <https://rb.gy/rkibdq>

All interested persons will be given the opportunity to comment on the proposed regulations which are amendments to the current U.S. Virgin Islands UST regulations.

V. REQUEST FOR PUBLIC COMMENT

The proposed regulations are available for public review by mail, via the Department's website or in person by appointment at the DPNR Division of Environmental Protection (DEP) offices on St. Croix and St. Thomas. To make arrangements to examine the proposed regulations, or to submit a comment, please contact:

Syed Syedali, UST Program Manager
45 MARS Hill
Frederiksted, VI 00840
(340) 773-1082
Email: syed.syedali@dpnr.vi.gov

DPNR is allowing a 60-day period for soliciting public comment on its intent to amend 12 V.I.R.&R. Chapter 16, Subchapter 654.

VI. DPNR'S RESPONSE TO PUBLIC COMMENT

Following the conclusion of the public hearings, an additional 30 days will be allowed for the public to provide comments to DPNR. Comments must be submitted to DPNR at the above-mentioned address either in writing or by email on or before **MONDAY, DECEMBER 21, 2020.**